

CITY OF TIGARD, OREGON
TIGARD CITY COUNCIL
ORDINANCE NO. 07- 10

AN ORDINANCE ANNEXING SEVENTEEN PARCELS TOTALING 39.42 ACRES, APPROVING SUNRISE LANE ANNEXATION (ZCA2007-00001), AND WITHDRAWING PROPERTY FROM THE TIGARD WATER DISTRICT, WASHINGTON COUNTY ENHANCED SHERIFF'S PATROL DISTRICT, WASHINGTON COUNTY URBAN ROADS MAINTENANCE DISTRICT, WASHINGTON COUNTY STREET LIGHTING DISTRICT #1, AND THE WASHINGTON COUNTY VECTOR CONTROL DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Tigard is authorized by ORS 222.120(4)(B) and 222.170 to initiate an annexation upon receiving consent in writing from more than half of the owners of land in the territory, who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory; and

WHEREAS, the City of Tigard is authorized by ORS 222.120(5) and 222.520 to withdraw properties which currently lie within the boundary of the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District upon completion of the annexation; and

WHEREAS, the Tigard City Council held a public hearing on May 22, 2007 to consider the annexation of seventeen (17) parcels of land consisting of 39.42 acres and withdrawal of said property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.520(2) the City is liable to the Water District for certain debt obligations, however, in this instance the Tigard Water District has no debt for the City to assume, therefore, no option regarding the assumption of debt needs to be made; and

WHEREAS, pursuant to Metro Chapter 3.09, ORS 222.120 and 222.524, notice was given and the City held a public hearing on May 22, 2007 on the issue of the annexation into the City of Tigard and withdrawal of the annexed property from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District; and

WHEREAS, pursuant to ORS 222.524, the City must declare the withdrawal of annexed properties from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District,

Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District by Ordinance; and

WHEREAS, the Tigard Community Development Code states that upon annexation, the zone is automatically changed to the City zoning most closely conforming to the County zoning (R-7, 5,000 square foot minimum lot size); and

WHEREAS, the current zoning is Washington County District/Plan Designation R-6 residential, 6 units per acre, a zone change is necessary, and by annexation the Comprehensive Plan of the City of Tigard goes into effect; and

WHEREAS, the annexation has been processed in accordance with the requirements of Metro Chapter 3.09 and has been reviewed for compliance with the Tigard Community Development Code and the Comprehensive Plan and the annexation substantially addresses the standards in Metro Chapter 3.09 regulating annexations; and

WHEREAS, the City Council has carefully considered the testimony at the public hearing and determined that withdrawal of the annexed properties from the applicable service districts is in the best interest of the City of Tigard.

NOW, THEREFORE, THE CITY OF TIGARD ORDAINS AS FOLLOWS:

SECTION 1: The Tigard City Council hereby annexes the parcels described in the attached **Exhibit "A"** and shown in **Exhibits "B" and "C"** and withdraws said parcels from the Tigard Water District, the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District.

SECTION 2: The City of Tigard adopts the Findings in the Staff Report (May 7, 2007) regarding annexation proposal ZCA2007-00001 (**Attachment 2**).

SECTION 3: City staff is directed to take all necessary measures to implement the annexation, including filing certified copies of the Ordinance with Metro for administrative processing, filing with state and county agencies as required by law, and providing notice to utilities.

SECTION 4: Pursuant to ORS 222.120(5), the effective date of the withdrawal of the property from the Washington County Enhanced Sheriff's Patrol District, Washington County Urban Roads Maintenance District, Washington County Street Lighting District #1, and the Washington County Vector Control District shall be the effective date of this annexation.

SECTION 5: Pursuant to ORS 222.465, the effective date of the withdrawal of this property from the Tigard Water District shall be July 1, 2007.

SECTION 6: In accordance with ORS 222.180, the annexation shall be effective upon filing with the Secretary of State.

SECTION 7: Council finds adoption of this ordinance is necessary for the peace, health and safety of the City; therefore, an emergency is declared and this ordinance shall take effect immediately upon passage.

PASSED: By Unanimous vote of all Council members present after being read by number and title only, this 22nd day of May, 2007.

Catherine Wheatley
Cathy Wheatley, City Recorder

APPROVED: By Tigard City Council this 22nd day of May, 2007.

Craig Jirksen
Craig Jirksen, Mayor

Approved as to form:

City Attorney

Date

5/22/07

EXHIBIT A

ANNEXATION DESCRIPTION

A tract of land located within the southeast one-quarter of Section 5, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the corner to section 4,5,8, and 9, Township 2 South, Range 1 West W.M.; thence N 89° 49' 00" W a distance of 451.8 feet; thence N 00° 56' 05" E a distance of 20.00 feet to the **True point of Beginning**; thence N 00° 58' 15" E a distance of 530 to the center of the ravine; thence N 27°22' 28" W, along the center of the ravine, a distance of 750 more or less; thence N 89° 28' 43" W a distance of 770 feet more or less to the easterly right-of-way of SW Sunrise lane; thence along said easterly right-of-way of SW Sunrise Lane the following 6 courses; S 04° 36' 28" W a distance of 82.71 feet; thence S 43° 18' 47" W a distance of 116.45 feet; thence S 16° 59' 53" W a distance of 72.12 feet; thence S 14° 18' 07" E a distance of 184.66 feet; thence S 04° 12' 11" W a distance of 330.61 feet; thence S 00° 35' 17" W a distance of 192.00 feet; thence S 89° 51' 44" E, leaving said easterly right-of-way, a distance of 108.20 feet thence S 00° 42' 00" W a distance of 200.00 feet to the northerly right-of-way of SW Sunrise Lane; thence S 89° 49' 00" E, along said northerly right-of-way, a distance of 130.40 feet; thence S 00° 43' 00" W, along said northerly right-of-way, a distance of 20.00 feet; thence S 89° 49' 00" E, along said northerly right-of-way, a distance of 180.00 feet; thence N 00° 43' 00" E, leaving said northerly right-of-way, a distance of 180.07 feet; thence S 89° 49' 00" E a distance of 124.01 feet; thence S 00° 43' 00" W a distance of 180.07 feet to the northerly right-of-way of SW Sunrise Lane; thence S 89° 49' 00" E, along said northerly right-of-way, a distance of 567.85 to the True point of beginning.

Containing 25.76 acres.

ALSO INCLUDING

A tract of land located within the southeast one-quarter of Section 5, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the corner to section 4,5,8, and 9, Township 2 South, Range 1 West W.M.; thence N 89° 49' 00" W a distance of 208.00 feet; thence N 00° 55' 33" E a distance of 198.84 feet; thence S 89° 48' 30" E a distance of 208.00 feet; thence S 00° 55' 33" W a distance of 198.81 to the point of beginning.

Containing 0.95 acres.

ANNEXATION CERTIFIED

BY FDR

APR 05 2007

WASHINGTON COUNTY A & T
CARTOGRAPHY

ALSO INCLUDING

A tract of land located within the southwest one-quarter of Section 5, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Beginning at the northeast corner of Tract "A" Stanhurst thence N 89° 13' 19" W, along the northerly line of Stanhurst, a distance of 193.00 feet; thence S 73° 38' 54" W, along the northerly line of Stanhurst, a distance of 68.53 feet; thence N 19° 58' 53" W a distance of 39.45 feet; thence N 43° 20' 08" W a distance to 57.71 feet; thence N 51° 14' 51" W a distance of 159.80 feet; thence N 75° 16' 36" W a distance of 12.99 feet; thence N 45° 42' 41" W a distance of 131.38 feet; thence N 21° 57' 45" W a distance of 73.91 feet to the Southerly line of Bull Mountain Meadows No. 4; thence S 89° 33' 00" E, along said southerly line, a distance of 575.16 feet to the southeast corner of lot 347 Bull Mountain Meadows No. 4; thence S 00° 47' 29" W a distance of 321.51 feet to the point of beginning.

Containing 3.23 acres.

ALSO INCLUDING

A tract of land located within the southeast one-quarter of Section 5, Township 2 South, Range 1 West, Willamette Meridian, Washington County, Oregon, being more particularly described as follows:

Commencing at the Southeast corner of Partition Plat 2001-038; thence N 88° 52' 17" W, along the southerly line of said partition plat, a distance of 117.09 feet; thence S 00° 11' 04" E a distance of 348.04; thence S 89° 12' 37" E a distance of 420.08 feet to the **TRUE POINT OF BEGINNING**; thence N 01° 12' 28" E a distance of 325.82 feet; thence N 87° 08' 03" E a distance of 189.84 feet to the westerly right-of-way of SW Sunrise Lane; thence N 63° 02' 54" E a distance of 40.00 feet to the easterly right-of-way of SW Sunrise Lane and a point on a curve to the left; thence along said curve to the left with a radius to 6.00 feet a, a central angle of 65° 41' 24", (a chord which bears S 59° 47' 48" E, 6.51 feet) and a length of 6.88 feet to a point of tangency; thence along the easterly right-of-way of SW Sunrise Lane the following 5 courses; thence N 87° 21' 30" E a distance of 77.13 feet; thence S 57° 49' 45" E a distance of 126.65 feet; thence S 24° 41' 12" E a distance of 93.58 feet; thence S 10° 46' 09" E a distance of 104.46 feet; thence S 5° 04' 06" W a distance 56.45 feet; thence N 84° 55' 54" W a distance of 40.00 feet to the westerly right-of-way of SW Sunrise Lane; thence along the westerly right-of-way of SW Sunrise Lane the following 7 courses; thence S 5° 04' 06" W a distance 89.57 feet; thence S 18° 08' 48" E a distance of 101.59 feet; thence S 01° 25' 53" W a distance of 141.47 feet; thence S 4° 36' 28" W a distance of 145.59 feet; thence S 43° 18' 47" W a distance of 111.75 feet; thence S 16° 59' 53" W a distance of 92.68 feet; thence S 14° 18' 07" E a distance of 11.36 feet; thence S 88° 41' 47" W, leaving said westerly right-of-way, a distance of 356.92 feet; thence N 01° 12' 28" E a distance of 615.64 to the true point of beginning.

Containing 9.48 acres.

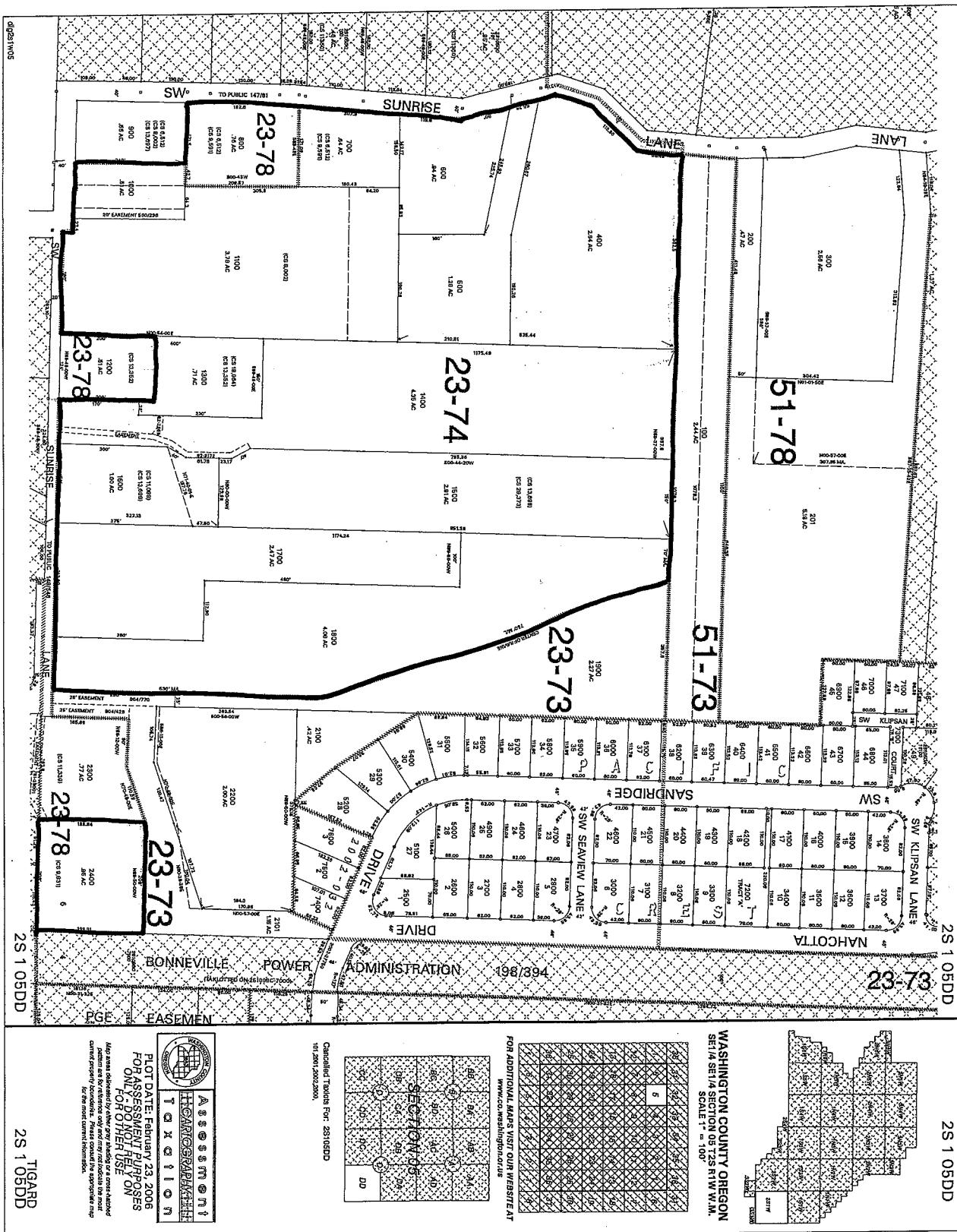
ANNEXATION CERTIFIED

BY JK

APR 05 2007

WASHINGTON COUNTY A & T
CARTOGRAPHY

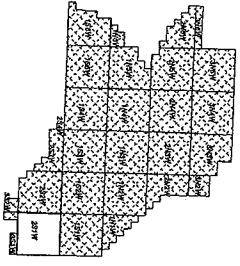
EXHIBIT B



281050

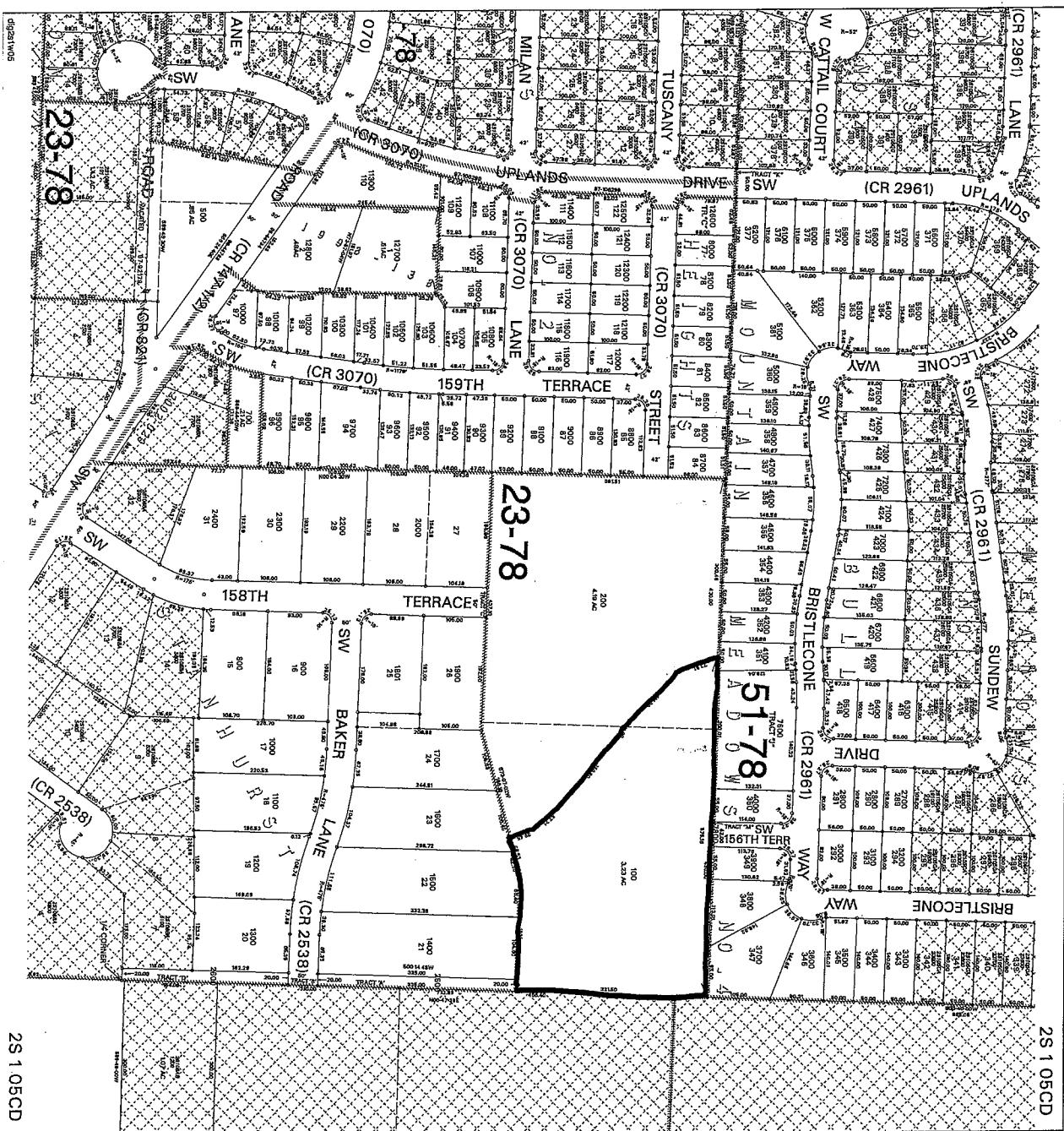
2S105CD

WASHINGTON COUNTY OREGON
SE1/4 SW1/4 SECTION 05 27S R1W W.M.
SCANTLINS - 100'



FOR ADDITIONAL MAPS VISIT OUR WEBSITE AT
WWW.GOWASHINGTON.ORG

Cancelled Taxlots For: 2S105C

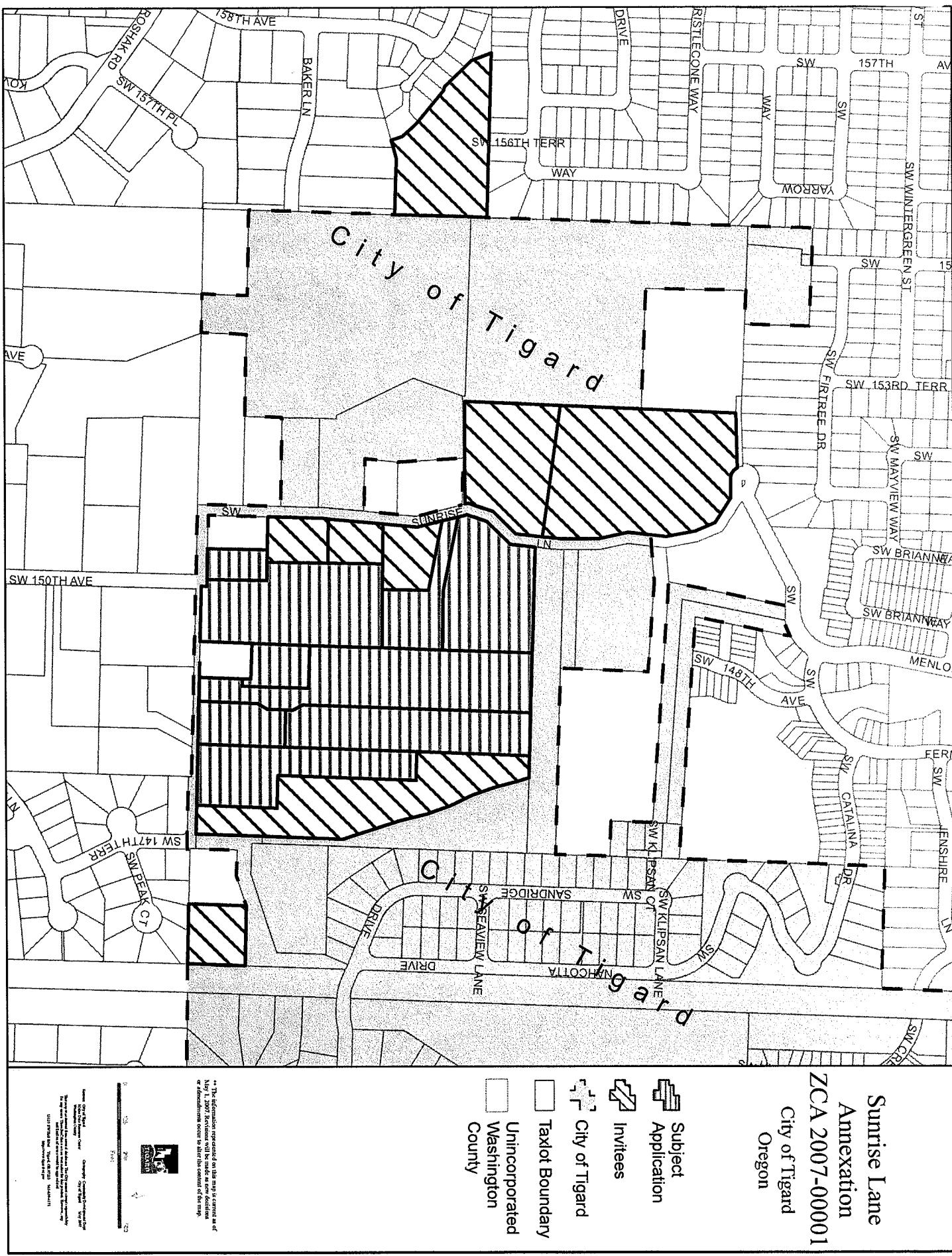


251.05CB

2S105CD



EXHIBIT C



TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the reference locations(s), hereby petition for, and give consent to, Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for Annexation.

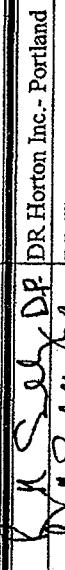
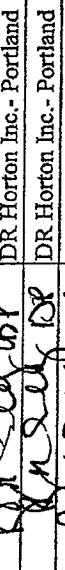
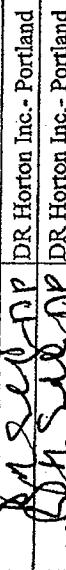
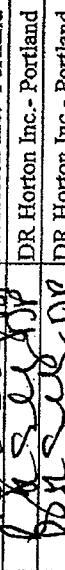
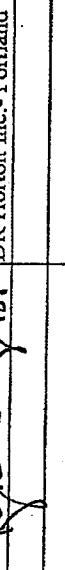
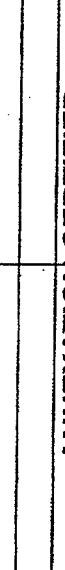
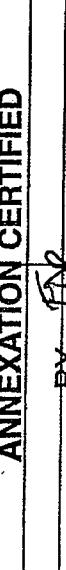
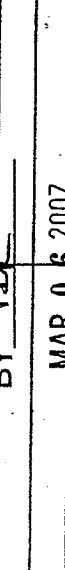
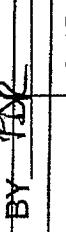
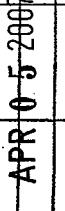
LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	IAMA			ADDRESS			PROPERTY DESCRIPTION				DATE
		PO	RV	Ov	Township/Section	Map Number	Tax Lot Number	Precinct Number				
	DR Horton Inc.- Portland	X			15175 SW Sunrise Lane	2S1W05	DD	00400	397			
	DR Horton Inc.- Portland	X			15175 SW Sunrise Lane	2S1W05	DD	00500	397			
	DR Horton Inc.- Portland	X			14775 SW Sunrise Lane	2S1W05	DD	01700	397			
	DR Horton Inc.- Portland	X			14975 SW Sunrise Lane	2S1W05	DD	01100	397			
	DR Horton Inc.- Portland	X			15035 SW Sunrise Lane	2S1W05	DD	01000	397			
	DR Horton Inc.- Portland	X			14825 SW Sunrise Lane	2S1W05	DD	01500	397			
	DR Horton Inc.- Portland	X			14825 SW Sunrise Lane	2S1W05	DD	01600	397			
	DR Horton Inc.- Portland	X			14885 SW Sunrise Lane	2S1W05	DD	01300	397			
	DR Horton Inc.- Portland	X			14895 SW Sunrise Lane	2S1W05	DD	01400	397			
ANNEXATION CERTIFIED		ANNEXATION CERTIFIED										
BY 		BY 										
MAR 06 2007		APR 05 2007										
WASHINGTON COUNTY A & T		WASHINGTON COUNTY A & T										
CARTOGRAPHY		CARTOGRAPHY										

"PROPERTIES"

NAME OF PROPERTY OWNED
PROPERTY DESIGNATION/Tax | lot Numbers)

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION YES	SIGNED PETITION NO
2S1W05DD 00400	DR Horton Inc.- Portland	2.94	\$ 1,300	X	
2S1W05DD 00500	DR Horton Inc.- Portland	1.25	\$ 865,460	X	
2S1W05DD 01000	DR Horton Inc.- Portland	0.51	\$ 364,750	X	
2S1W05DD 01100	DR Horton Inc.- Portland	3.78	\$ 1,199,120	X	
2S1W05DD 01300	DR Horton Inc.- Portland	0.71	\$ 495,250	X	
2S1W05DD 01400	DR Horton Inc.- Portland	4.38	\$ 494,300	X	
TOTALS:					

"REGISTERED VOTERS"

***S1 IMMABY**

CONTINUATION

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TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: Irrelevant
NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: _____
PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION:

TOTAL ACREAGE IN THE PROPOSAL: 19.95 Acres

ACREAGE SIGNED FOR: 19.93 Acres.
PERCENTAGE OF ACREAGE SIGNED FOR: 100%

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TOTAL NUMBER OF SINGLE-FAMILY UNITS: 7
TOTAL NUMBER OF MULTIFAMILY UNITS: 0

TOTAL NUMBER OF MULTI-FAMILY UNITS:

TOTAL NUMBER OF COMMERCIAL STRUCTURES: TOTAL NUMBER OF INDUSTRIAL STRUCTURES:

Exhibit C Property Title Information

DOUBLE MAJORITY WORKSHEET FOR ANEXATION TO THE CITY OF TIGARD

Please list all properties/registered Voters included in the proposal. (If needed, use separate sheets for additional listings.)

"PROPERTIES"

PROPERTY DESIGNATION (Tax Lot Numbers)	NAME OF PROPERTY OWNER	TOTAL ACRES	ASSESSED VALUE OF THE PROPERTY	SIGNED PETITION YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
2S1W05DD 01500	DR Horton Inc.- Portland	2.91	\$ 420,600	X
2S1W05DD 01600	DR Horton Inc.- Portland	1.0	\$ 639,480	X
2S1W05DD 01700	DR Horton Inc.- Portland	2.47	\$ 741,230	X
TOTALS:		19.95 Acres	\$ 5,221,490	

"REGISTERED VOTERS"

ADDRESS OF REGISTERED VOTER	NAME OF REGISTERED VOTER	SIGNED PETITION YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
TOTALS:		

SUMMARY

TOTAL NUMBER OF REGISTERED VOTERS IN THE PROPOSAL: _____

NUMBER OF REGISTERED VOTERS WHO SIGNED PETITION: _____

PERCENTAGE OF REGISTERED VOTERS WHO SIGNED PETITION: _____

TOTAL ACREAGE IN THE PROPOSAL: _____

ACREAGE SIGNED FOR: _____

PERCENTAGE OF ACREAGE SIGNED FOR: _____

TOTAL NUMBER OF SINGLE-FAMILY UNITS: _____

TOTAL NUMBER OF MULTI-FAMILY UNITS: _____

TOTAL NUMBER OF COMMERCIAL STRUCTURES: _____

TOTAL NUMBER OF INDUSTRIAL STRUCTURES: _____

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TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

We, the undersigned owner(s) of the property described below and/or elector(s) residing at the referenced location(s), hereby petition for, an Annexation of said property to the City of Tigard. We understand that the City will review this request in accordance with ORS Chapter 222 and applicable regional and local policies prior to approving or denying the request for Annexation.

LEGEND:

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE 1 OF 1

SIGNATURE	PRINTED NAME	I.A.M.A			ADDRESS			PROPERTY DESCRIPTION				DATE
		PO	RV	OV	Township/ Section	Map Number	Tax Lot Number	Precinct Number				
	Mark Brands	X			15155 SW Sunrise Lane	Tigard	29105	D0002	800	3/29/07		

ANNEXATION CERTIFIEDBY FDR

APR 05 2007

WASHINGTON COUNTY A&T
CARTOGRAPHY

TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

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MAR 29 2007

CITY OF TIGARD

LEGEND:

PO - Property Owner

BV - Registered Voter

AV - Registered Voter

PAGE ONE

TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

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LEGENDA

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE OF

ANNEXATION CERTIFIED

BY DBP

APP 05.2007

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**WASHINGTON COUNTY A&I
CARTOGRAPHY**

Apple catkin among my regard

TO THE COUNCIL OF THE CITY OF TIGARD, OREGON:

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LEGEND.

PO - Property Owner

Property of UIC

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PAGE OF

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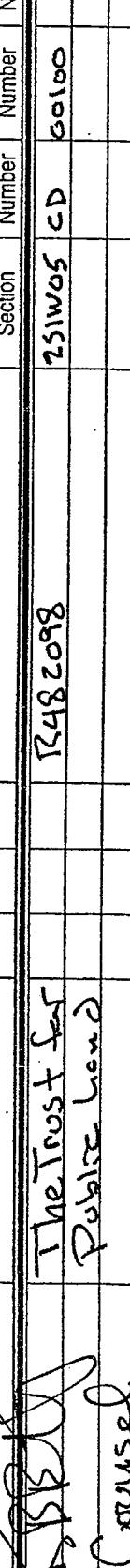
LEGEND

PO - Property Owner

RV - Registered Voter

OV - Property Owner & Registered Voter

PAGE _____ OF _____

SIGNATURE	PRINTED NAME	IAMA			ADDRESS			PROPERTY DESCRIPTION				DATE
		PO	RV	OV	Township/ Section	Map Number	Tax Lot Number	Precinct Number				
	The Trust for Public Land Coususe Robert B. Bedcome, Sr.			12482098	251W05	CD	00100	3/26/07				
ANNEXATION CERTIFIED												
BY <u>TDK</u>												
APR 05 2007												
WASHINGTON COUNTY A & T CARTOGRAPHY												

THIS SECTION IS TO BE COMPLETED BY WASHINGTON COUNTY ASSESSOR'S OFFICE

CERTIFICATION OF PROPERTY OWNERSHIP
(Double Majority Method)

I hereby certify that the attached petition for annexation of the territory described therein to the **City of Tigard** contains the names of the owners* of a majority of the land area of the territory to be annexed, as shown on the last available complete assessment role.

NAME: JENNIFER RAMSTAD

TITLE: CARTOGRAPHER

DEPARTMENT: ASSESSMENT & TAXATION

COUNTY OF: WASHINGTON

DATE: 4/5/2007

* indicates that "Owner" means the owner of the title to real property or the contract purchaser of real property.

THIS SECTION IS TO BE COMPLETED BY WASHINGTON COUNTY ELECTIONS OFFICE

CERTIFICATION OF REGISTERED VOTERS

I hereby certify that the attached petition for annexation of territory described herein to the **City of Tigard** contains the names of at least a majority of the electors registered in the territory to be annexed.

NAME: _____ **ANNEXATION CERTIFIED**
TITLE: _____ BY FDR
DEPARTMENT: _____ APR 05 2007
COUNTY OF: _____ WASHINGTON COUNTY A & T
CARTOGRAPHY
DATE: _____

CITY OF TIGARD
CERTIFICATION OF LEGAL DESCRIPTION AND MAP

I hereby certify that the description of the property included within the attached petition (located on Assessor's Map 2S105 CD, DB, DD) has been checked by me and it is a true and exact description of the property under consideration, and the description corresponds to the attached map indicating the property under consideration.

NAME JENNIFER RAMSTAD
TITLE CARTOGRAPHER
DEPARTMENT ASSESSMENT & TAXATION
COUNTY OF WASHINGTON
DATE 4/5/2007

ANNEXATION CERTIFIED

BY FDR

APR 05 2007

WASHINGTON COUNTY A & T
CARTOGRAPHY